

SEWELL & RIGGS

800 CAPITAL BANK PLAZA  
HOUSTON, TEXAS 77002

June 14, 1983

(713) 652-8700  
TELEX: 77-5564

Secretary of the Interstate  
Commerce Commission  
12th Constitution Avenue  
Room 203  
Washington, D.C. 20423

ATTN: Mildred Lee

Dear Ms. Lee:

Pursuant to our conversation on May 26, 1983, enclosed is a Release of Liens, with two counterparts, executed by Capital Bank, National Association.

Please record in your customary manner and return the original to me.

Also enclosed is a check in the amount of \$110.00 as fee for recordation of the Release of Liens, Security Agreement Chattel Mortgage and Security Agreement -- Assignment of Accounts. As you recommended, I have enclosed a separate transmittal letter for the Security Agreements.

If you have any questions or comments, please do not hesitate to call collect.

Very truly yours,

*Judy Qadim'asil*

Judy Qadim'asil  
Legal Assistant

JQ/ymr  
Encl.

RECORDATION NO. 12678-B Filed 1425

JUN 23 1983 3 40 PM

INTERSTATE COMMERCE COMMISSION

No. 3-174A048

Date JUN 23, 1983

Fee \$ 10.00

ICC Washington, D. C.

RECEIVED  
JUN 23 3 31 PM '83  
I.C.C.  
FEDERATION BR.

**Interstate Commerce Commission**  
**Washington, D.C. 20423**

**OFFICE OF THE SECRETARY**

Judy Qadim' asil  
Legal Assistant  
Sewell & Riggs  
800 Capital Bank Plaza  
Houston, Texas 77002

June 23, 1983

Dear Madam:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 6/23/83 at 3:40PM , and assigned re-  
recording number(s). 12678-B

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

RECORDATION NO. 12678-B Filed 1425

JUN 23 1983 3 40 PM

RELEASE OF LIENS

INTERSTATE COMMERCE COMMISSION

THE STATE OF TEXAS   §  
                                  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF HARRIS   §

THAT, CAPITAL BANK, NATIONAL ASSOCIATION, 333 Clay Street, Houston, Texas 77002 is the present owner and holder of one certain promissory note dated November 19, 1980 in the original principal sum of Thirty-Nine Thousand One Hundred Fifty and No/100 (\$39,150.00) Dollars executed by Mitchell Bjerke, said promissory note is secured by a Security Agreement and Chattel Mortgage of even date therewith duly recorded in Volume 1425 under recordation no. 12678 and a Security Agreement Assignment of accounts of even date therewith duly recorded in Volume 1425 under recordation no. 12678-A, both filed of record with the Interstate Commerce Commission, encumbering the collateral fully described on Exhibit "A" attached hereto and made a part hereof for all purposes.

For and in consideration of the full and final payment of said promissory note, the receipt of which is hereby acknowledged, Capital Bank, National Association does hereby RELEASE the collateral described in the attached Exhibit "A" from any lien or encumbrance which Capital Bank, National Association might have to secure the notes executed by Mitchell Bjerke, including but not limited to those evidenced by the above described document of record.

EXECUTED this 9<sup>th</sup> day of June, 1983.

CAPITAL BANK, NATIONAL ASSOCIATION

By: Capital Bank, N.A.  
Name: B. J. Allcott  
Title: Bank Officer

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 9th  
day of June, 1983, by Harry B. Allcott,  
an Officer of Capital Bank, National Association,  
a national banking association, on behalf of said banking  
association.

Mona S. Huebner  
Notary Public in and for  
the State of Texas

Mona S. Huebner  
Printed Name of Notary

My Commission Expires: 11/18/85

EXHIBIT A

RAILWAY EQUIPMENT

One Railroad Tank Car described as follows:

One used Railroad Tank Car 33,000 gallon  
nominal capacity DOT 112J340 Retrofitted with  
Modification DOT HM-144 Requirements (j)  
100-Ton Roller Bearing Trucks

CAR NUMBER: 32500